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JS-6

Attorneys for Defendants
YELLOW FREIGHT SYSTEM, INC. and
YELLOW TRANSPORTATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

E & S INTERNATIONAL
ENTERPRISES, INC.,

Plaintiff,

v.

YELLOW FREIGHT SYSTEM, INC.,
YELLOW TRANSPORTATION, INC.,
and DOE ONE through DOE TEN,
Defendants.

Case No. CV08-03224 PSG (JTSLx)

JUDGMENT

(Fed. R. Civ. P. Rule 56)

The motion of defendants Yellow Freight System, Inc. and Yellow Transportation, Inc. for summary judgment against plaintiff E & S International Enterprises, Inc. was decided by the Court without hearing, the matter having been found appropriate for decision without oral argument pursuant to Federal Rules of Civil Procedure Rule 78 and Local Rule 7-15.

The Court, having considered all matters presented by the parties on said motion, issued a written order on January 28, 2009 granting summary judgment for defendants.

1 Accordingly,

2 IT IS HEREBY ORDERED AND ADJUDGED that plaintiff E & S
3 International Enterprises, Inc. shall recover nothing from defendants Yellow
4 Freight System, Inc. or Yellow Transportation, Inc.

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6 Dated: January 30, 2009

PHILIP S. GUTIERREZ
7 Judge, United States District Court
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, **Kathleen C. Jeffries**, am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 2 North Lake Avenue, Suite 460, Pasadena, California 91101.

On, February 2, 2009, I served the foregoing document described as **(PROPOSED) JUDGMENT** on interested parties in this action

√ **VIA ELECTRONIC FILING TO:**

Mr. Michael S. McDaniel
Mr. Bruce Lindsay
Countryman & McDaniel
LAX Airport Center, Eleventh Floor
5933 West Century Boulevard
Los Angeles, California 90045

— **(BY MAIL)** I deposited such envelope in the mail at Pasadena, California. The envelope was mailed with postage thereon fully prepaid.

√ I am “readily familiar” with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

— **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

√ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 2, 2009, at Pasadena, California.

/s/ Kathleen C. Jeffries

Kathleen C. Jeffries